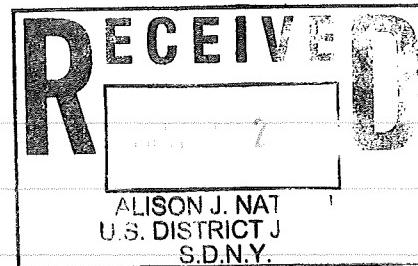


Honorable Judge Nathan  
United States District Court  
for The Southern District of New York  
500 Pearl Street, New York,  
NY 10007-1312



12-CR-423 (AJN)

RE: United States v. Minh Quang Pham

Correction to Motion Pursuant to 28 U.S.C § 2255,  
and Accord with Johnson v. United States and  
Sessions v. Dimaya, to Set Aside, Vacate and  
Correct Defendant's Unconstitutional Convictions  
and Sentences.

Dear Honorable Judge Nathan,

APR 23 2019

Enclosed please find an original pages and One Copy:  
correcting a couple mistakes concerning my above captioned  
motion which was sent to this Honorable Court on MARCH  
4th, 2019 - Page 2/23 (COUNT THREE) and page 22/23  
(COUNT TWO).

Thank you. Most respectfully  
MINH PHAM

Minh Quang Pham  
Dated: March 25<sup>th</sup> 2019

cc: Honorable Clerk of The United States District Court  
for The Southern District of New York.

2/23

## A. FACTUAL BACKGROUND

1. On May 24, 2012, the government filed a Five-Count indictment against Pham: Count One Charged Conspiracy to Provide Material Support to a Foreign Terrorist Organization, in violation of 18 U.S.C. § 2339B (a)(1), (d)(1)(c), (E) and (F), and 3238. Count Two charged Providing Material Support to a Foreign Terrorist Organization, in violation of 18 U.S.C. § 2339B (a)(1), (d)(1)(c), (E) and (F), 3238, and 2. Count Three Charged Conspiring to receive Military-type Training from a foreign terrorist organization, in violation of 18 U.S.C. § 371, 2339D (a), (b)(3), (b)(5) and (b)(6), and 3238. Count Four charged Receipt of Military-Type Training from a Foreign Terrorist Organization, in violation of 18 U.S.C. § 2339D (a), (b)(3), (b)(5) and (b)(6), and 3238, and 2. Count Five charged the Possession, Carrying and Using a Firearm, namely a Machine gun, in violation of 18 U.S.C. § 924 (c)(1)(A), (B)(i) and (B)(ii), 3238, and 2.

33. For the reasons argued above,  
Petitioner respectfully pleads and implores that his  
motion to vacate be granted, and his conviction on  
Count Three: Conspiring to receive Military-Type  
Training from a Foreign terrorist Organization, in  
violation of 18 U.S.C. § 371, 2339D and Count Five:  
Possession, Carrying and Using a Firearm, namely a  
Machine gun, in violation of 18 U.S.C. § 924(c)(1)(A),  
(B)(i) and (B)(ii), 3238, and 2, be vacated, and an  
appropriate order be issued consistent with this  
motion to vacate.

Most Respectfully,

Honorable Judge Nathan  
United States District Court  
for The Southern District of New York  
500 Pearl Street, New York,  
NY 10007-1312

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Minh Pham

Minh Quang Pham

Dated: March 25th 2019

CC: Honorable Clerk of The United States District Court  
for the Southern District of New York.